

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

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APPEALS

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SIERRA CLUB, INC.,

Petitioner,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY and
GINA MCCARTHY,
Administrator,
United States Environmental
Protection Agency,

Respondents.

No.

Petition for Review

PETITION FOR REVIEW

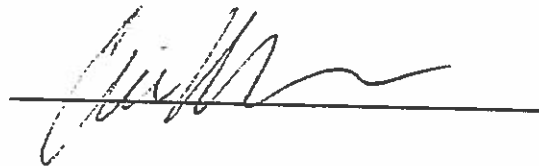
Pursuant to Federal Rules of Appellate Procedure 15, Ninth Circuit Rule 15-1, Clean Water Act § 509(b)(1)(E), 33 U.S.C. §1369(b)(1)(E), and Administrative Procedure Act § 10, 5 U.S.C. § 706, Petitioner Sierra Club hereby petitions this Court for review of the United States Environmental Protection Agency's Final Rule for National Pollutant Discharge Elimination System – Final Regulations to Establish Requirements for Cooling Water Intake Structures at Existing Facilities and Amend Requirements at Phase I Facilities (“Final Rule”), published in the Federal

Register August 15, 2014. 79 Fed. Reg. 48,300; *see also* Agency Docket ID No. EPA-HQ-OW-2008-0667, FRL-9817-3.

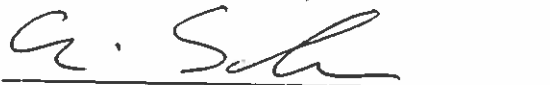
For purpose of judicial review, the Final Rule was promulgated on August 29, 2014. A copy of the Final Rule is attached as Exhibit A. The challenged action injures petitioner by, *inter alia*, forgoing and delaying the establishment of standards and the abatement of water quality impairments afflicting waters used by petitioner's members for recreation and other purposes.

DATED: This 2nd day of September, 2014.

Respectfully submitted,



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Attorneys for Petitioner

CERTIFICATE OF SERVICE

This will certify that the undersigned caused a copy of the attached
PETITION FOR REVIEW to be served, First Class U.S. Mail return receipt
requested, to:

United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
Office of the Administrator
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Correspondence Control Unit
Office of General Counsel Avi Garbow
U.S. Environmental Protection Agency
William Jefferson Clinton Building
Mail Code 2310A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Eric Holder
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530-0001

This 2nd day of September, 2014,



Eva Schueller